

01-20-04

January 16, 2004

~~MAILED~~ Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

Re:      Applicant(s):      Bender, Theodore M. et al.  
Assignee:      Cardica, Inc.  
Title:      Tool for Creating an Opening in Tissue  
Serial No.:      10/659,057  
Examiner:      Not yet assigned      Filed: September 9, 2003  
Docket No.:      143      Group Art Unit: 3731

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO form 1449; and
- (4) Return postcard.

- No additional fee is required.
- Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 502108

**Total:**            \$            0.00

**EXPRESS MAIL LABEL NO.  
EV302958549US**

~~Respectfully submitted~~

Brian A. Schar  
Attorney for Applicant(s)  
Reg. No. 45,076



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Bender, Theodore M. et al.  
Assignee: Cardica, Inc.  
Title: Tool for Creating an Opening in Tissue  
Serial No.: 10/659,057 Filing Date: September 9, 2003  
Examiner: Not yet assigned Group Art Unit: 3731  
Docket No.: 143

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In compliance with the Applicant's duty under 37 CFR § 1.56, the information listed on the accompanying form PTO-1449 is brought to the attention of the Examiner. In accordance with 37 CFR § 1.98 (d) and MPEP 609(I)(A)(2), copies of the references listed on the form PTO-1449 and explanations of relevance of any non-English-language references are not included, because these references and explanations have been submitted in the parent application, U.S. Patent Application serial no. 10/054,745, of which this application is a continuation under 37 CFR 1.53(b).

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), and thus no petition or fee is required.

Respectfully submitted,



Brian A. Schar  
Attorney for Applicant(s)  
Reg. No. 45,076  
Cardica, Inc.  
900 Saginaw Dr.  
Redwood City, CA 94063

ATTY. DOCKET NO.  
143SERIAL NO.  
10/659,057

## APPLICANT:

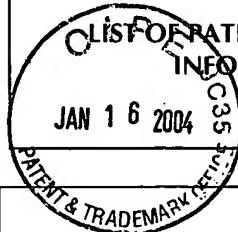
Bender, Theodore M. et al.

## FILING DATE:

9/9/03

## GROUP:

3731

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

JAN 16 2004

(Use several sheets if necessary)

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		3,254,650	6/7/66	COLLITO			
		3,519,187	7/7/70	KAPITANOV, ET AL			
		3,577,979	5/11/71	GAAST			
		3,774,615	11/27/73	LIM, ET AL			
		4,018,228	4/19/77	GOOSEEN			
		4,076,162	2/28/78	KAPITANOV ET AL			
		4,118,806	10/10/78	PORIER ET AL			
		4,214,587	7/29/80	SAKURA JR			
		4,216,776	8/12/80	DOWNIE, ET AL			
		4,217,664	8/19/80	FASO			
		4,350,160	9/21/92	KOLESOV, ET AL			
		4,352,358	10/5/82	ANGELCHIK			
		4,366,819	1/4/83	KASTER			
		4,368,736	1/18/83	KASTER			
		4,503,568	3/12/85	MADRAS			
		4,523,592	6/18/85	DANIEL			
		4,534,761	8/13/85	RAIBLE			
		4,553,542	11/19/85	SCHENCK, ET AL			
		4,589,416	5/20/86	GREEN			
		4,593,693	6/10/86	SCHENCK			
		4,603,693	8/5/86	CONTA, ET AL			
		4,607,637	8/26/86	BERGGREN, ET AL			
		4,624,255	11/25/86	SCHENCK, ET AL			
		4,624,257	11/25/86	BERGGREN, ET AL			
		4,657,019	4/14/87	WALSH, ET AL			
		4,665,906	5/19/87	JERVIS			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

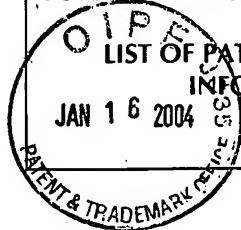
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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ATTY. DOCKET NO. 143 SERIAL NO. 10/659,057

APPLICANT:  
Bender, Theodore M. et al.

FILING DATE: 9/9/03 GROUP: 3731

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
		4,721,109	1/26/88	HEALEY			
		4,747,407	5/31/88	LIU, ET AL			
		4,752,024	6/21/88	GREEN ET AL			
		4,873,991	10/17/89	SKINNER			
		4,883,453	11/28/89	BERRY, ET AL			
		4,907,591	3/13/90	VASCONCELLOS, ET AL			
		4,917,087	4/17/90	WALSH, ET AL			
		4,917,090	4/17/90	BERGGREN, ET AL			
		4,917,091	4/17/90	BERGGREN, ET AL			
		4,930,674	6/5/90	BARAK			
		5,005,749	4/9/91	ARANYI			
		5,062,842	11/5/91	TIFFANY			
		5,104,025	4/14/92	MAIN, ET AL			
		5,119,983	6/9/92	GREEN, ET AL			
		5,129,913	7/14/92	RUPPERT			
		5,156,613	10/20/92	SAWYER			
		5,171,262	12/15/92	MACGREGOR			
		5,178,634	1/12/93	MARTINEZ			
		5,187,796	2/16/93	WANG, ET AL			
		5,192,289	3/9/93	JESSEN			
		5,192,294	3/9/93	BLAKE III			
		5,193,731	3/16/93	ARANYI			
		5,205,459	4/27/93	BRINKERHOFF, ET AL			
		5,217,474	6/8/93	ZACCA, ET AL			
		5,221,281	6/22/93	KLICEK			
		5,222,963	6/29/93	BRINKERHOFF, ET AL			

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		5,234,447	8/10/93	KASTER, ET AL			
		5,250,058	10/5/93	MILLER, ET AL			
		5,250,060	10/5/93	CARBO, ET AL			
		5,271,544	12/21/93	FOX, ET AL			
		5,275,322	1/4/94	BRINKERHOFF, ET AL			
		5,285,945	2/15/94	BRINKERHOFF, ET AL			
		5,290,298	3/1/94	REBUFFAT, ET AL			
		5,292,053	3/8/94	BILOTTI, ET AL			
		5,304,220	4/19/94	MAGINOT			
		5,314,435	5/24/94	GREEN ET AL			
		5,314,468	5/24/94	MARTINEZ			
		5,324,300	6/28/94	ELIAS ET AL			
		5,333,773	8/2/94	MAIN, ET AL			
		5,336,233	8/9/94	CHEN			
		5,344,059	9/6/94	GREEN ET AL			
		5,350,104	9/27/94	MAIN, ET AL			
		5,354,302	10/11/94	KO			
		5,364,389	11/15/94	ANDERSON			
		5,366,462	11/22/94	KASTER, ET AL			
		5,392,979	2/28/95	GREEN ET AL			
		5,395,030	3/7/95	KURAMOTO, ET AL			
		5,395,311	3/7/95	ANDREWS			
		5,403,338	4/4/95	MILO			
		5,423,330	6/13/95	LEE			
		5,443,497	8/22/95	VENBRUX			
		5,447,514	9/5/95	GERRY, ET AL			

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		5,454,825	10/3/95	VAN LEEUWEN			
		5,456,712	10/10/95	MAGINOT			
		5,456,714	10/10/95	OWEN			
		5,462,062	10/31/95	RUBINSTEIN ET AL			
		5,464,449	11/7/95	RYAN, ET AL			
		5,465,895	11/14/95	KNODEL, ET AL			
		5,470,320	11/28/95	TIEFENBRUN ET AL			
		5,478,354	12/26/95	TOVEY, ET AL			
		5,488,958	2/6/96	TOPEL ET AL			
		5,503,635	4/2/96	SAUER, ET AL			
		5,515,478	5/7/96	WANG			
		5,522,834	6/4/96	FONGER, ET AL			
		5,524,180	6/4/96	WANG, ET AL			
		5,533,661	7/9/96	MAIN, ET AL			
		5,540,677	7/30/96	SINOFSKY			
		5,553,198	9/3/96	WANG, ET AL			
		5,556,405	9/17/96	LARY			
		5,558,667	9/24/96	YARBOROUGH, ET AL			
		5,571,167	11/5/96	MAGINOT			
		5,643,340	7/1/97	NUNOKAWA			
		5,645,520	7/8/97	NAKAMURA, ET AL			
		5,657,429	8/12/97	WANG, ET AL			
		5,669,918	9/23/97	BALAZS, ET AL			
		5,669,934	9/23/97	SAWYER			
		5,676,670	10/14/97	KIM			
		5,690,662	11/25/97	CHIU ET AL			

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10/659,057

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		5,693,088	12/2/97	LAZARUS			
		5,695,504	12/9/97	GIFFORD III, ET AL			
		5,702,412	12/30/97	POPOV ET AL			
		5,707,362	1/13/98	YOON			
		5,707,380	1/13/98	HINCHLIFFE, ET AL			
		5,709,335	1/20/98	HECK			
		5,709,693	1/20/98	TAYLOR			
		5,725,544	3/10/98	RYGAARD			
		5,725,553	3/10/98	MOENNING			
		5,732,872	3/31/98	BOLDUC, ET AL			
		5,754,741	5/19/98	WANG, ET AL			
		5,755,778	5/26/98	KLESHINSKI			
		5,762,458	6/9/98	WANG, ET AL			
		5,779,718	7/14/98	GREEN ET AL			
		5,792,135	8/11/98	MADHANI, ET AL			
		5,797,900	8/25/98	MADHANI, ET AL			
		5,797,920	8/25/98	KIM			
		5,797,933	8/25/98	SNOW ET AL			
		5,799,661	9/1/98	BOYD ET AL			
		5,799,857	9/1/98	ROBERTSON, ET AL			
		5,807,377	9/15/98	MADHANI, ET AL			
		5,814,073	9/29/98	BONUTTI			
		5,815,640	9/29/98	WANG, ET AL			
		5,817,113	10/6/98	GIFFORD III ET AL			
		5,825,982	10/20/98	WRIGHT ET AL			
		5,827,316	10/27/98	YOUNG ET AL			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES	NO

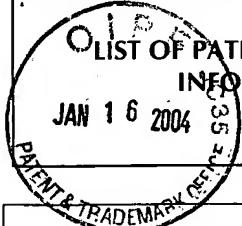
## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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JAN 16 2004  
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ATTY. DOCKET NO. 143	SERIAL NO. 10/659,057
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APPLICANT: Bender, Theodore M. et al.
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FILING DATE: 9/9/03	GROUP: 3731
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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	5,833,698	11/10/98	HINCHCLIFFE, ET AL			
	5,841,950	11/24/98	WANG, ET AL			
	5,855,583	1/5/99	WANG, ET AL			
	5,868,763	2/9/99	SPENCE ET AL			
	5,868,764	2/9/99	ROSENGART			
	5,871,495	2/16/99	MUELLER			
	5,875,782	3/2/99	FERARRI, ET AL			
	5,878,193	3/2/99	WANG, ET AL			
	5,879,371	3/9/99	GARDINER, ET AL			
	5,881,943	5/16/99	HECK ET AL			
	5,888,247	3/30/99	BENETTI			
	5,893,369	4/13/99	LEMOLE			
	5,895,403	4/20/99	COLLINSWORTH			
	5,895,404	4/20/99	RUIZ			
	5,904,697	5/18/99	GIFFORD III, ET AL			
	5,907,664	5/25/99	WANG, ET AL			
	5,910,121	6/8/99	PAOLO ET AL			
	5,910,153	6/8/99	MAYENBERGER			
	5,911,036	6/8/99	WRIGHT, ET AL			
	5,915,616	6/29/99	VIOLA, ET AL			
	5,921,995	7/13/99	KLESHINSKI			
	5,944,730	8/31/99	NOBLES, ET AL			
	5,947,363	9/7/99	BOLDUC, ET AL			
	5,957,363	9/28/99	HECK			
	5,968,089	10/19/99	KRAJICEK			
	5,976,159	11/2/99	BOLDUC, ET AL			

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		5,976,178	11/12/99	GOLDSTEEN, ET AL			
		5,989,276	11/23/99	HOUSER ET AL			
		5,989,278	11/23/99	MUELLER			
		6,001,124	12/14/99	BACHINSKI			
		6,007,544	12/28/99	KIM			
		6,013,190	1/11/00	BERG, ET AL			
		6,015,416	1/18/00	STEFANCHIK, ET AL			
		6,022,367	2/8/00	SHERTS			
		6,024,748	2/15/00	MANZO ET AL			
		6,030,370	2/29/00	KUPKA, ET AL			
		6,030,395	2/29/00	NASH, ET AL			
		6,036,699	3/14/00	ANDREAS, ET AL			
		6,036,700	3/14/00	STEFANCHIK, ET AL			
		6,036,702	3/14/00	BACHINSKI, ET AL			
		6,036,703	3/14/00	EVANS, ET AL			
		6,036,704	3/14/00	YOON			
		6,036,705	3/14/00	NASH, ET AL			
		6,036,710	3/14/00	MCGARRY ET AL			
		6,050,472	4/18/00	SHIBATA			
		6,053,390	4/25/00	GREEN, ET AL			
		6,056,762	5/2/00	NASH, ET AL			
		6,066,144	5/23/00	WOLF, ET AL			
		6,066,148	5/23/00	RYGAARD			
		6,068,637	5/30/00	POPOV ET AL			
		6,074,416	6/13/00	BERG, ET AL			
		6,080,167	6/27/00	LYELL			

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	6,080,173	6/27/00	WILLIAMSON IV, ET AL			
	6,080,175	6/27/00	HOGENDIJK			
	6,080,176	6/27/00	YOUNG			
	6,083,234	7/4/00	NICHOLAS ET AL			
	6,083,238	7/4/00	ALEXANDER, JR ET AL			
	6,110,188	8/29/00	NARCISO, JR			
	6,113,612	9/5/00	SWANSON, ET AL			
	6,117,148	9/12/00	RAVO, ET AL			
	6,120,432	9/19/00	SULLIVAN, ET AL			
	6,146,393	11/14/00	WAKABAYASHI			
	6,149,681	11/21/00	HOUSER ET AL			
	6,152,937	11/28/00	PETERSON, ET AL			
	6,152,945	11/28/00	BACHINSKI, ET AL			
	6,165,185	12/26/00	SHENNIB, ET AL			
	6,167,889	1/2/01	BENETTI			
	6,171,319	1/9/01	NOBLES, ET AL			
	6,171,321	1/9/01	GIFFORD III, ET AL			
	6,176,413	1/23/01	HECK ET AL			
	6,176,864	1/23/01	CHAPMAN			
	6,176,867	1/23/01	WRIGHT			
	6,183,486	2/6/01	SNOW ET AL			
	6,186,942	2/13/01	SULLIVAN, ET AL			
	6,187,019	2/13/01	STEFANCHIK, ET AL			
	6,187,020	2/13/01	ZEGDI, ET AL			
	6,190,396	2/20/01	WHITIN, ET AL			
	6,190,397	2/20/01	SPENCE ET AL			

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FORM PTO-1449  1 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT  JAN 16 2004 PCT (Use several sheets if necessary)	ATTY. DOCKET NO. 143	SERIAL NO. 10/659,057
	APPLICANT: Bender, Theodore M. et al.	
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	0 517 252	12/9/92	EUROPE			
	0 701 800	3/20/96	EUROPE			
	0 820 724	1/3/00	EUROPE			
	0 820 725	1/3/00	EUROPE			
	0 885 595	12/23/98	EUROPE			
	0 913 125	7/5/00	EUROPE			
	0 938 870	9/1/99	EUROPE			
	0 990 420	12/27/00	EUROPE			
	00/09040	2/24/00	PCT			
	00/10486	3/2/00	PCT			
	00/12013	3/9/00	PCT			
	00/15144	3/23/00	PCT			
	00/15146	3/23/00	PCT			
	00/15147	3/23/00	PCT			
	00/15148	3/23/00	PCT			
	00/15149	3/23/00	PCT			
	00/27310	5/18/00	PCT			
	00/27311	5/18/00	PCT			
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	00/27313	5/18/00	PCT			
	00/33745	6/15/00	PCT			
	00/41633	7/20/00	PCT			
	00/53104	9/14/00	PCT			
	00/56223	9/28/00	PCT			
	00/56226	9/28/00	PCT			
	00/56227	9/28/00	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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EXAMINER:	DATE CONSIDERED:
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O LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT  
JAN 16 2004  
(Use several sheets if necessary)

PATENT &amp; TRADEMARK OFFICE

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO
	00/56228	9/28/00	PCT			
	00/59380	10/12/00	PCT			
	00/66007	11/9/00	PCT			
	00/66009	11/19/00	PCT			
	00/69343	11/23/00	PCT			
	00/69346	11/23/00	PCT			
	00/69349	11/23/00	PCT			
	00/69364	11/23/00	PCT			
	00/72764	12/7/00	PCT			
	00/74579	12/14/00	PCT			
	00/76405	12/21/00	PCT			
	01/08601	2/8/01	PCT			
	01/12074	2/22/01	PCT			
	01/15607	3/8/01	PCT			
	01/17440	3/15/01	PCT			
	01/19257	3/22/01	PCT			
	01/19259	3/22/01	PCT			
	01/19284	3/22/01	PCT			
	01/34037	5/17/01	PCT			
	92/08513	5/29/92	PCT			
	96/25886	8/29/96	PCT			
	97/25002	7/17/97	PCT			
	97/27898	8/7/97	PCT			
	97/31575	9/4/97	PCT			
	97/47261	12/18/97	PCT			
	98/07399	2/26/98	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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ATTY. DOCKET NO.  
143SERIAL NO.  
10/659,057APPLICANT:  
Bender, Theodore M. et al.FILING DATE:  
9/9/03GROUP:  
3731LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT

JAN 16 2004

(Use several sheets if necessary)

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO
	98/19608	5/14/98	PCT			
	98/19618	5/14/98	PCT			
	98/19625	5/14/98	PCT			
	98/19629	5/14/98	PCT			
	98/19630	5/14/98	PCT			
	98/19631	5/14/98	PCT			
	98/19632	5/14/98	PCT			
	98/19634	5/14/98	PCT			
	98/19636	5/14/98	PCT			
	98/30153	7/16/98	PCT			
	98/37814	9/3/98	PCT			
	98/42262	10/1/98	PCT			
	98/47430	10/29/98	PCT			
	98/55027	12/10/98	PCT			
	99/08603	2/25/99	PCT			
	99/17665	4/15/99	PCT			
	99/18887	4/22/99	PCT			
	99/21491	5/6/99	PCT			
	99/37218	7/29/99	PCT			
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	99/45848	9/6/99	PCT			
	99/52481	10/21/99	PCT			
	99/62406	12/9/99	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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FORM PTO-1449	ATTY. DOCKET NO. 143	SERIAL NO. 10/659,057
<b>O LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>	<b>APPLICANT:</b> Bender, Theodore M. et al.	
JAN 16 2004 <i>(Use several sheets if necessary)</i>	<b>FILING DATE:</b> 9/9/03	<b>GROUP:</b> 3731

## **FOREIGN PATENT DOCUMENTS**

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